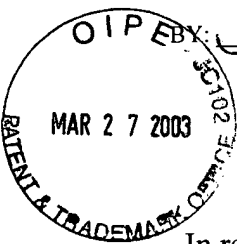


I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231, ON THE DATE INDICATED BELOW.



BY: Carolee Wight

DATE: March 24, 2003

**PATENT
BOX AF**

#12
JGJ
4/2/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of
Fitzgerald, *et al.*

Appln. 09/870,762
No.:

Filed: May 31, 2001

For: METHODS AND COMPOSITIONS
FOR DETERMINING LIPID
PEROXIDATION LEVELS IN
OXIDANT STRESS SYNDROMES
AND DISEASES

Group Art Unit: 1651

RECEIVED

Examiner: R.J. Gitomer MAR 31 2003

TECH CENTER 1600/2900

Attorney Docket
No. **053893-5024-00**

**NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Decision dated September 24, 2002, Paper No. 9, of the Primary Examiner finally rejecting claim 1-5 and 8-34.

The items checked below are appropriate:

- ☒ [X] A Petition for Extension of Time with extension fee for three (3) months up to and including March 24, 2003.
- ☒ [X] Please charge our Deposit Account No. **50-0310** (Billing No. **053893-5024**) for this Notice of Appeal. A duplicate copy is enclosed.
- ☒ [X] \$160.00-- a Small Entity Declaration has been filed previously in this case.
- ☐ [] \$320.00 -- no Small Entity Declaration is appropriate.

03/28/2003 AWONDAF1 00000141 500310 09870762
01 FC:2401 160.00 CH

- ☐ Not required (fee paid in prior appeal).
- ☐ An oral hearing before the Board of Appeals is respectfully requested.
- ☐ Please charge our Deposit Account No. **50-0310** (Billing No. **53893-5024**) for this request for an oral hearing.
- ☐ \$140.00 - a Small Entity Declaration has been filed previously in this case.
- ☐ \$280.00 - no Small Entity Declaration is appropriate.
- ☒ Any additional required fees or any overpayments may be charged or credited to Deposit Account No. **50-0310** (Billing No. **53893-5024**), one additional copy of this Notice is enclosed for accounting purposes.

Respectfully submitted,

GARRET A. FITZGERALD, et al.

MARCH 24 2003
(Date)

By:

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Enclosure (Petition for Three-Month Extension of Time; and Response to Office Action)